TL7277

Message 2
Date: 16 Dec 1997 22:58:46
Reply-To: Conference "ifet.private" <etimor-private@igc.apc.org>
From: etio@ozemail.com.au
Subject: Avelino Coelho & friends statements
To: Recipients of etimor-private <etimor-private@igc.apc.org>

*** This is a private communication. Do not circulate without approval. ***
Dear friends,

We have received handwritten messages from Avelino Coelho and his friends at the Austrian Embassy in Jakarta, asking for help in the form of pressures on the Austrian government.

The Embassy pretends that they are not pressuring the six to leave the premises and give themselves up to the authorities. In fact the embassy claims that the six are vacillating between staying on and giving themselves up.

The reality, according to the messages received, is that the embassy is applying (subtle) pressure, to get them to give themselves up 'volntarily'. On one hand they are being prevented from receiving information from the outside and to have contacts (other than Lopes da Cruz- who works for the regime). On the other they are being told that their case is hopeless and that they better use the current offers of guarantees of protection if they give themselves up at this stage.

To cover it all up, the embassy asks for a written note from the six "that they are leaving of their free will".

The six will not go voluntarily. If they are expelled, they wish a written notification from the embassy that it can no longer protect them. They also ask a series of guarantees for ongoing Austrian protection, as you can see from the two follwing statements.

Please continue seeking any form of pressure on the Austrian government you can think of, so that they stop this sordid game, and let these people stay on under the protection of th embassy for as long as it takes to get Indonesian government approval to leave safely for Portugal.

The way things are going with the Suharto regime, probably time is on the side of the six East Timorese.

>From what we have learned, the great interest in getting hold of Avelino by the authorities is because of his links to supportive Indonesian military members and other Indoensian civilians. The regime wants to extract information from him on who these people are.

Thanks for the help you can provide.

Juan

Declaration of the East Timorese Asylum Seekers at the Austrian Embassy in Jakarta
(slightly edited, to improve English text)

December 9, 1997

Facing Embassy pressure (using a diplomatic language) on us to leave the Embassy we should like to ask first the fulfilment of the following conditions:

1. Considering that our case is a political case.
The East Timorese have been fighting for freedom since the invasion of 7 December 1975, and against the illegal occupation (integration!). Because of it we have been suffering (massacres, kidnapping of family members, disappearance of family members, capture, assassination, bombardment and other kinds of violence against us, our people!). We have been fighting for liberation because we have the right for self-determination and in order to respect the enforcement of international law that condemned the invasion and integration of East Timor!

2. Considering point (1), we ask :
2.a for a written statement from the Embassy that it cannot protect us any longer!

2.b the Embassy to clarify the meaning of its statement [that the] "...Austrian government is looking for a human solution to this case acceptable for all parties!"

2. c the Austrian government, in this case, has to assume responsibility, if we are tortured or killed by the Indonesian government either before the judgement or after the judgement.

2. d the Austrian Embassy has to ask the Indonesian government for a written declaration promising [that]:

-we will not be tortured, or forced to write a declaration [admitting guilt]
-during the investigation/interrogation, besides being attended by our lawyer, [there must also be] the presence of an Austrian embassy official. This is very important in order to ensure the previous point. -the Austrian embassy has to regularly visit us during our detention, and after [were are] sentenced -if one of us becomes ill/sick the Austrian embassy shall monitor/observe all the procedures of the doctors and the medical prescriptions [issued to us].
-during [our] interrogation and detention in jail the Austrian Embassy shall check on our food allocation
-[.]my wife, because she is not involved in my political activities - because she is only a housewife - and my two children will not be captured, detained, sentenced or jailed because of me -that the rights of the accused/defendant and jailed person shall be observed (this right comes under the Indonesian Formal criminal code - KUHAP)
-that our family members can visit freely and also that we can be visited by Human Rights Institutions and the International Red Cross

2.e In case we are sentenced to death, life sentence or a long sentence, the Austrian government will work to free us because we are freedom fighters, not criminals. This is an important observation of our political rights and international justice!

3. that these conditions shall be given to our lawyer and the Press and published in foreign newspapers; a copy shall be given to the UN and Portugal: a copy to the Government of the Europe Union: and a copy to all the other governments of the world, and most specially also to the Human Rights Institutions.

4. Without the fulfilment of all these conditions as one parcel we will never leave the Embassy!. And if the Embassy pressures or forces us again we will ask the Embassy to ask to the UN Special Envoy Mr Jamsheed Marker, to come and together with the Embassy to hand us over to the Indonesian government!

5. Reasons why we ask the Austrian Embassy and Austrian government for the fulfilment of all these conditions :

First: the problem of East Timor is an unsolved international problem. The integration [into Indonesia] is not recognised by the UN!

Second: As we all know, Austria is country with a government that has a strong commitment to Human Rights!

6. We will decide the day for us to leave the Embassy, after receiving the written declaration [we have demanded].

7. We ask that our lawyer should be present when we receive the declaration.

Written by Avelino Coelho
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document 2-

STATEMENT
(sightly edited to improve English)

To the Austrian Ambassador and the Austrian Ambassador's Special Envoy

In reply to the request suggested to us yesterday that we sign a note paper saying that we agree "....to leave the Embassy on our own free decision."

We have discussed this [among ourselves] it and this is our conclusion and decision:

a.) Our will is to go to Portugal. If this is impossible at this moment, then we will have to stay in the Embassy as long as necessary to find that solution!

b.) We, as we stated before in our declaration of Dec 9, 1997, will only decide to leave this Embassy if the Embassy tells us that it can not protect us any longer and ask us to leave. This needs to be done in a written statement!

c.) We make clear that we [have been] moved to look for assurances/guarantee because during our speaking with your Excellency, some words used by your Excellency like as "this Embassy will be closed" and other words that [burden]/pack our soul, our dignity, our humanity.

We are so sorry to have to mention it here, but we understand all as a signal that the Embassy is suggesting us to consider the situation! The same we did in speaking with Mr Lopes da Cruz! We were moved to do it, because we want to demonstrate our cooperation to finding a Human solution acceptable for all parts! But as things evolved, we realise that we can never find a human solution acceptable for all parts, unless to accept to go the prison, to an unfair sentence. Unfair because we are not criminals, we are freedom fighters. The [East Timor] integration is not recognised by UN!

Considering that all, we should like to make it clear here once more:

a) our own free decision is to go to Portugal. For this we are prepared to stay in the Embassy as long as it is necessary!

b) We will never leave the Embassy [to surrender to Indonesia] on our own free decision!

c)That the all assurances / guarantees we asked before should be VALID in case we are forced to leave the Embassy! Including the assurance / guarantee for Avelino's wife and two children! Because we ask it as our packet of assurance / guarantee!

- So our position is clear, our own free decision is to go to Portugal.

- We will consider another solution if [offered, provided] we find that the solution is a human solution acceptable for all parts, not as in the assurance/guarantee!

- We will decide on our free will to leave the Embassy, if we have guarantees to be free, not if are to be interrogated or jailed!

In this case we will sign the note paper [you are demanding of us]!

Thanks for all attention!

Yours sincerely
Signed.

Avelino Coelho Custodio de Jesus Nuno V. O. S.